

P.E.H. Number

**STATE OF HAWAII**  
**REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS**

TO: Chief Procurement Officer

FROM: Department of Health/Family Health Services/Healthy Start  
(Department/Division/Agency)

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

**Description of health and human services:**

To provide maternal and child health early identification, home visiting, child development, and clinical services to non-military individuals and families with infants and children, ages zero to three (0-3) and children, ages three to five (3-5) with younger enrolled siblings, ages zero to three (0-3), who are identified as being at risk for child abuse and neglect.

Name of Service Provider  
Parents and Children Together ("PACT")

Cost:  
\$508,141.00

Term of Contract:  
From: August 1, 2003  
To: ~~Not later than September 30, 2003~~  
AUGUST 31, 2003 MS

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:  
The Department of Health ("DOH") is seeking an exemption to continue to serve families who are at-risk of child abuse and neglect.

The DOH has just concluded the protest for Healthy Start services PACT and is in the transition period to transfer services to Child and Family Service ("CFS"). Services are currently being provided by Kapiolani Medical Center for Women and Children ("KMCWC") through a subcontract with PACT under an extension through Chapter 103F, section 3-149-301(c). KMCWC has informed the DOH that it will not extend this Agreement beyond July 31, 2003. Due to the delay in new contract period start-up as a result of the protest, DOH is concerned that CFS may need additional time beyond July 31, 2003, to begin to provide services. The DOH must ensure that there be no break in services to enrolled children and families during this complex transition process that may not be completed by July 31, 2003. DOH requests that an exemption be made for PACT to continue to provide early identification, home visiting, child development and clinical services until a new Agreement can be executed.

The Healthy Start Program is mandated under the Lingle vs. Felix Consent Decree to provide services for the prevention of child abuse and neglect.

Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:

PACT was selected to provide Healthy Start services during the interim, based on several reasons;

1. PACT is currently providing the services under ASO Log Number 02-075 through a subcontracting agreement with KMCWC.
2. Families being served are familiar with the staff from PACT.

**A description of the state agency's internal controls and approval requirements for the exempted procurement:**

PACT will be under the direction of Gladys Wong, Program Head of Healthy Start. To the extent practicable, the Maternal and Child Health Branch will utilize the administrative rules for Chapter 103F. In addition, MCHB will be responsible for monitoring the agency's outcomes and performance measures, output measures, quality of care/ quality of service, financial management, and administrative requirement. A final evaluation will be prepared based on these monitoring activities.

**A list of state agency personnel, by position title, who will be involved in the approval process and administration of the contract:**

Loretta Fuddy, Chief, Family Health Services  
Alice Ige, Accountant  
Althea Kamau, Chief, Maternal and Child Health Branch  
Mitzi Leblon, Section Supervisor, Perinatal Health Section  
Gladys Wong, Program Head, Healthy Start Program  
Mark Yabui, Healthy Start Contract Specialist

**Direct questions to:**

Mark Yabui, Contracts Specialist, Healthy Start Program  
Gladys Wong, Program Head, Healthy Start Program

**Phone Number:**

733-4181  
733-4185

This exemption should be considered for list of exemptions attached to Chapter 3-141, HAR: Yes ☒ No ☐

I certify that the information provided above is to the best of my knowledge, true and correct.

*James K. Kadohira*

*7-16-03*

Department/Agency Head

Date

**Chief Procurement Officer's Comments:**

The request for exemption is approved through August 31, 2003. It is the responsibility of the purchasing agency to plan adequately for procurements including allowing sufficient time for possible protests as well as planning for contingencies if a new provider is selected for a service. Health Start shall submit to the State Procurement Office a brief report on the plan for transition of clients by August 7, 2003 and a brief report on the progress in executing a contract and the transitioning of clients prior to August 18, 2003.

Please ensure adherence to applicable administrative requirements



Approved



Denied

*Adam J. Fugle*  
Chief Procurement Officer

*7/21/03*

Date

cc: Administrator  
State Procurement Office

P.E.H. Number 04-03